

9/7/99
 George, please
 do it - check the
 IL citation I know this
 is not a perfect document
 sue

Prepared by Gary Westefen
 received by Sue Brauer 4/1/99

40CFR PART 279 CROSS STATE REGULATORY SUMMARY

Federal	Illinois	Indiana	Minnesota	Wisconsin	Ohio	Michigan
279.1	739.101	13-2	7045.0020 7045.0790	590.03 590.06	279-01	299.9101 299.9102 299.9103 299.9104 299.9105 299.9106 299.9107 299.9108 299.9109
279.10	739.110	13-3-1	7045.0790 7045.0795 7045.0800 7045.0805 7045.0810 7045.0815 7045.0820 7045.0825 7045.0830 7045.0835	590.02 590.04 590.05 590.10 590.11 590.14	279-10	299.9204(1) 299.9809 299.9816(1)
279.11	739.111	13-3-2	7045.0840	590.09	279-11	299.9809(1)
279.12	739.112	13-3-3	7045.0845	590.05	279-12	299.9809(3) 299.9814
279.20	739.120	13-4-1	7045.0790,17 7045.0810,B 7045.0855	590.03 590.04 590.05 590.12 590.53	279-20	299.9809 299.9810 299.9812 299.9813 299.9814 299.9815 299.9816
279.21	739.121	13-4-2	7045.0855,6	590.10 590.11	279-21	Not Adopted
279.22	739.122	13-4-3	7045.0855,3	590.04 590.13	279-22	299.9810 299.11003(1)
279.23	739.123	13-4-4	7045.0855,4	590.14	279-23	299.9810 299.11003(1)

Federal 279.24	Illinois 739.124	Indiana 13-4-5	Minnesota 7045.0855,5	Wisconsin 590.15	Ohio 279-24	Michigan 299.9810 299.11003(1)
279.30	739.130	13-5-1	7045.0855,1	590.03 590.20	279-30	299.9102(y) 299.9811
279.31	739.131	13-5-2	7045.0855	590.03 590.20 590.21	279-31	299.9109(l) 299.9811
279.32	739.132	13-5-3	7045.0855,1	590.20	279-32	299.9109(j) 299.9811(2)
279.40	739.140	13-6-1	7045.0865	590.03 590.05 590.30 590.31 590.32 590.33	279-40	299.9109(r) 299.9809 299.9810 299.9812 299.9813 299.9814 299.9815 299.9816
279.41	739.141	13-6-2	7045.0865	590.34 590.50	279-41	299.9812(3)
279.42	739.142	13-6-3	7045.0865,5	590.07	279-42	299.9812(3)
279.43	739.143	13-6-4	7045.0865,6, 7	590.06 590.35 708.05	279-43	299.9812(3)
279.44	739.144	13-6-5	7045.0865,8	590.11	279-44	299.9812
279.45	739.145	13-6-6	7045.0865,9	590.04 590.36	279-45	299.9812
279.46	739.146	13-6-7	7045.0865,10	590.37	279-46	299.9812
279.47	739.147	13-6-8	7045.0865,12	590.38	279-47	299.9812(6)
279.50	739.150	13-7-1	7045.0875,1, 11	590.05 590.50 590.51 590.70	279-50	299.9106(q) 299.9810 299.9812 299.9813 299.9814 299.9816
279.51	739.151	13-7-2	7045.0875,2	590.07	279-51	299.9813(3)

Federal 279.52	Illinois 739.152	Indiana 13-7-3	Minnesota 7045.0875,3	Wisconsin 590.52	Ohio 279-52	Michigan 299.9813 299.11003(1)
279.53	739.153	13-7-4	7045.0875,4	590.11	279-53	299.9809(2) 299.9813(4)
279.54	739.154	13-7-5	7045.0875,5	590.04 590.53	279-54	299.9813 299.11003(1)
279.55	739.155	13-7-6	7045.0875,6	590.54	279-55	299.9813 299.11003(1)
279.56	739.156	13-7-7	7045.0875,7	590.55	279-56	299.9813 299.11003(1)
279.57	739.157	13-7-8	7045.0875,8	590.56	279-57	299.9813 299.11003(1)
279.58	739.158	13-7-9	7045.0875,9	590.57	279-58	299.9813 299.11003(1)
279.59	739.159	13-7-10	7045.0875,10	590.58	279-59	299.9813(6)
279.60	739.160	13-8-1	7045.0885,1, 11 7045.0888,1	590.70 590.71	279-60	299.9109(r) 299.9810(1) 299.9812(1) 299.9813(1) 299.9814 299.9815(1) 299.9816
279.61	739.161	13-8-2	7045.0885	590.72	279-61	299.9813(1) 299.9814(3)
279.62	739.162	13-8-3	7045.0885,4	590.73	279-62	299.9814(4) 299.11003(1)
279.63	739.163	13-8-4	7045.0885,5	590.11	279-63	299.9809(2) 299.9814(5)
279.64	739.164	13-8-5	7045.0885,6	590.04 590.73	279-64	299.9814 299.11003(1)
279.65	739.165	13-8-6	7045.0885,7	590.74	279-65	299.9814 299.11003(1)
279.66	739.166	13-8-7	7045.0885,8	590.75	279-66	299.9814 299.11003(1)

Federal	Illinois	Indiana	Minnesota	Wisconsin	Ohio	Michigan
279.67	739.167	13-8-8	7045.0885,9	590.76	279-67	299.9814(7)
279.70	739.170	13-9-1	7045.0895,1, 2,8	590.80 590.82 590.83	279-70	299.9810(1) 299.9812(1) 299.9813(1) 299.9814(1) 299.9815
279.71	739.171	13-9-2	7045.0895,3	590.81	279-71	299.9815(3)
279.72	739.172	13-9-3	7045.0895,4	590.84	279-72	299.9815(3)
279.73	739.173	13-9-4	7045.0895,5	590.07	279-73	299.9815 299.11003(1)
279.74	739.174	13-9-5	7045.0895,6	590.85	279-74	299.9815(3)
279.75	739.175	13-9-6	7045.0895,7	590.86	279-75	299.9815(3) 299.11003(1)
279.80	739.180	13-10-1	NONE	590.04	279-80	299.9816(1)
279.81	739.181	13-10-2	NONE	590.04	279-81	299.9816(2)
279.82	739.182	13-10-3	NONE	590.05	279-82	299.9816(3)

Notes: Minnesota Prohibits Used Oil as a Dust Suppressant (279-80 through 279.82)

THE LAW OFFICES OF
MARK A. LAROSE, LTD.

MARK A. LAROSE
FRANK E. DIVITO

OF COUNSEL
JOHN J. ALIOTO
ADMITTED IN WISCONSIN ALSO
JOSEPH G. ALIOTO
ADMITTED IN WISCONSIN ONLY

734 N. WELLS STREET
CHICAGO, IL 60610
(312) 642-4414
FAX (312) 642-0434

August 24, 1998

BY FEDERAL EXPRESS

Mr. Ronald Holub
Metropolitan Water Reclamation District
Industrial Waste Division
3500 West Howard Street
Skokie, IL 60076

BY FEDERAL EXPRESS

Mr. Ed Gardner
Metropolitan Water Reclamation District
Industrial Waste Division
6001 W. Pershing Road
Cicero, IL 60650-4412

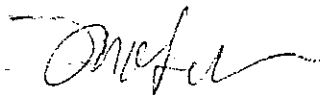
Re: Cozzi Iron & Metal, Inc. (Cozzi)

Gentlemen:

Pursuant to our recent conversations, enclosed are the documents and information requested by you during inspections of Cozzi Iron & Metal's facilities at 1509 W. Cortland on August 10, 1998 and 350 N. Artesian on August 18, 1998. Cozzi reserves the right to supplement its response if additional information or documents are located or developed.

If you have any questions or are in need of additional information, please do not hesitate to contact me.

Very truly yours,



Mark A. LaRose

MAL/mk
enclosures

**COZZI IRON & METAL, INC.'S
RESPONSE TO REQUEST FOR INFORMATION
AND DOCUMENTS FROM MWRD**

August 24, 1998

This information is in response to the oral request for information made by MWRD Inspector Ron Holub during an inspection of Cozzi Iron & Metal's facilities at 1509 W. Cortland, Chicago, Illinois on August 10, 1998 and MWRD Inspector Ed Gardner during an inspection at 350 N. Artesian, Chicago, Illinois on August 18, 1998. The information provided here is given voluntarily by Cozzi without any formal, written request for documents having been issued. The information presented is based on Cozzi's review of its records, and consists of the responsive documents and information located and available to date. Cozzi reserves the right to supplement this response as may be required.

1509 W. CORTLAND, CHICAGO, IL

1. Are any site plans available, if possible indicating any sanitary or sewer locations?

Response: See Attachment 1 -- storm water pollution prevention plan for 1509 W. Cortland, Chicago containing a site diagram.

2. Provide manifests that deal with removal of waste from the site, if any.

Response: See Attachment 2 -- Safety-Kleen invoice attached.

3. Please provide public guidelines that Cometco or Cozzi may disseminate to customers or potential customers that would make them aware of any material they can or cannot bring to the site, if any.

Response: See Attachment 3 -- copies of notices of restricted goods posted at Cometco.

4. Provide an inventory of the types and volumes of product oil and hydraulic fluids that are stored on-site.

Response: See Attachment 4.

5. Please provide the following information as relates to the pond.

How deep is it?

Response: Exact depth unknown.

How often is it cleaned out?

Response: Oil is skimmed off of the top using an outside contractor approximately three (3) times per year.

How does it work?

Response: Natural separation of oil and water, oil is skimmed off, water discharges by gravity flow to the river.

Are there any permits?

Response: Not that Cozzi is aware of.

How is it designed?

Response: Based on the information that Cozzi has been able to gather, the pond was installed in the mid to late 1970's. The pond was designed to use the natural properties of oil and water to separate, with the oil on the top of the pond and the water on the bottom. According to Cozzi's sources, the pond was lined with a synthetic liner.

During heavy rains, does the retention pond over flow and oil spill into the river?

Response: Cozzi has never experienced an over flow of oil or water from the retention pond into the river due to design of the pond. See above.

Do any oils get dumped into the pond?

Response: No oils are dumped into the pond. Drainage of the yard flows towards and into the pond.

Is there any drainage on the south side of the yard in the white goods area?

Response: Not that Cozzi is aware of.

Does Cometco do anything to remove the standing water on the south side of the yard in the white goods area?

Response: Not that Cozzi is aware of.

350 N. ARTESIAN

6. Provide Water Bills for the last three months:

Response: See Attachment 5 -- water bills for the last three months.

7. Provide a recent Safety-Kleen manifest.

Response: See Attachment 6 -- Safety-Kleen manifest from 6/22/98.

The following must be stripped of all plastic, vinyl, cloth, and wood before entering the yard:

Please remove all material from metal as much as possible, or else deductions will be made.

**WE DO NOT ACCEPT: TV'S,
MICROWAVES, TIRES, SAFES, OR
SEALED DRUMS/CYLINDERS
(DUE TO EXPLOSIVE NATURE)**

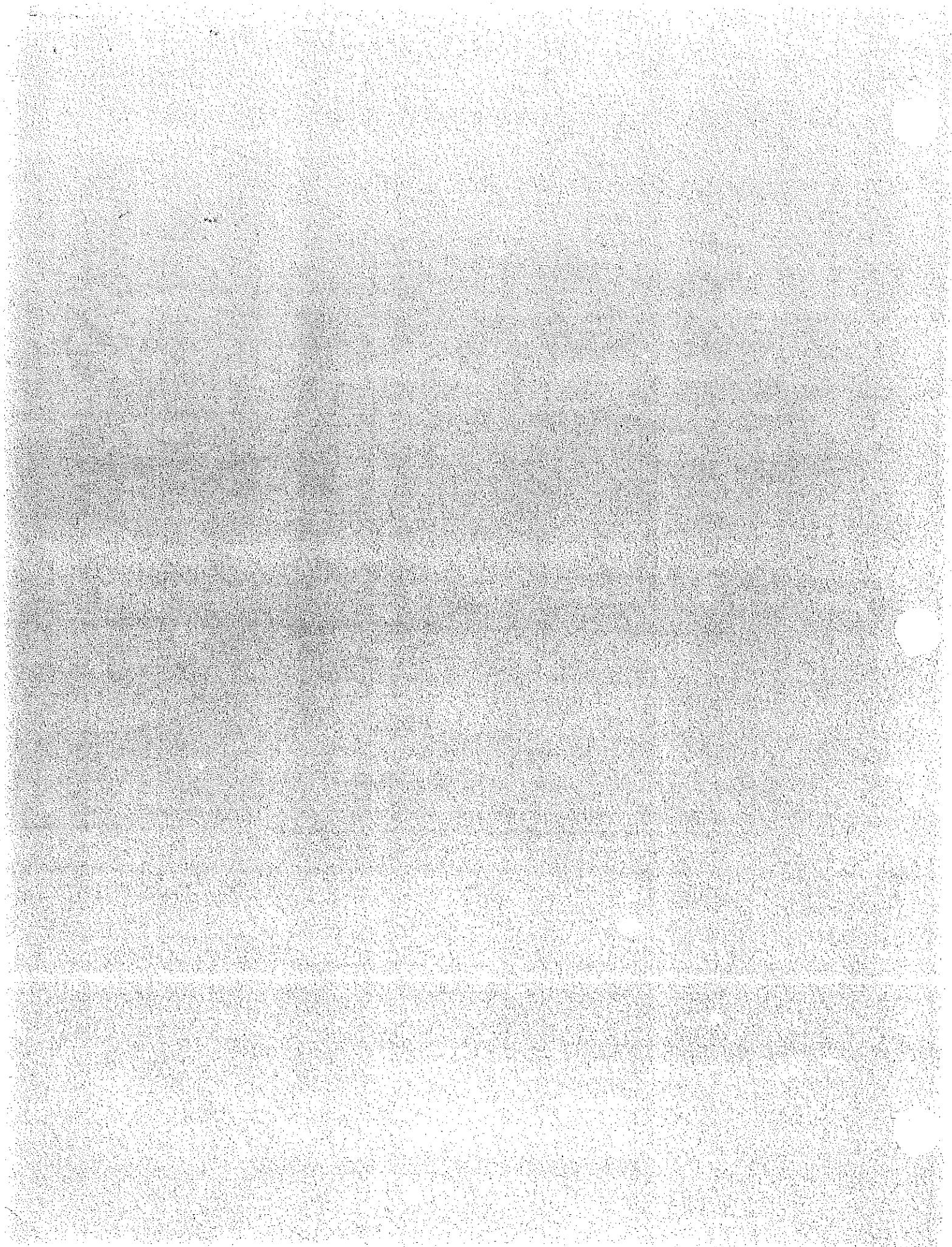
**In accordance with
EPA Regulations,
CFC's must be
removed from
white goods.**

**To do so call:
ARI Industries
(Appliance Recycle)
1854 Besley Court
Chicago, IL 60622

(312) 384-1471**

Cometes:

55gal - AW32 Hydraulic Oil: 2, 1, 2, 1, 2, 1, 2
15W40 Motor Oil: 1, 1, 1, 2, 1 (495gal)
40W Engine Oil: 2 110gal
90W Gear Oil: 2 110gal
(AW4) Hydraulic Oil Bulk: 100gal, 120gal
also (AW68) 100gal, 100gal 420gal



COZZI IRON & METAL INC.
2232 S. BLUE ISLAND, CHICAGO, IL 60608

INVOICE	CR	DATE	DESCRIPTION	GROSS PRICE	DISC/WGT	NET
25879		10/12/98	TRANSFER WATER/COOLANT	C 298502		306.25
25937		10/15/98	REMOVAL WASTE OIL/WATER MIX	C 298628		1841.00
25936		10/15/98	REMOVAL WASTE OIL & WATER	C 298628		2209.00
25934		10/15/98	REMOVAL WASTE OIL & WATER	C 298628		2209.00
25935		10/15/98	REMOVAL WASTE OIL & WATER	C 298628		2209.00

VENDOR: DUK032 DUKE'S OIL SERVICE, INC.

DATE: 11/20/98

NUMBER: 207221

8774.25



IRON & METAL, INC.
2232 South Blue Island - Chicago, Illinois 60608

BANK OF AMERICA
CHICAGO, ILLINOIS 60607
OR IF DESIRED
OLD KENT BANK
WHEATON, ILLINOIS 60186

207221

70-2328
718

NUMBER	DATE	AMOUNT
207221	11/20/98	*****8774.25

PAY EXACTLY

*****8774

DOLLARS AND

25

CENTS

PAY TO THE ORDER OF

DUKE'S OIL SERVICE, INC.
783 FAIRWAY DRIVE
BENSENVILLE IL 60106

COZZI IRON & METAL, INC.

NON NEGOTIABLE

VOID AFTER 90 DAYS

NOT VALID WITHOUT 2 SIGNATURES

⑈207221⑈ ⑆071923284⑆ 79⑈22280⑈

DUKE'S OIL SERVICE, INC.
783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996
(630) 595-4291
(630) 595-4401 FAX

INVOICE

800
894-2190

Date: 10/12/98
Due Date: 11/11/98

Inv. No.: 25879
Page No.: 1

COZZI IRON & SCRAP
2232 S. BLUE ISLAND AVE.
CHICAGO, IL 60608

#771951
SERVICES RENDERED 10/9/98
TRANSFER 3000 GALLONS OF
WATER & COOLANT FROM COMETCO TO
COZZI

REFERENCE

TERMS

YOUR #

OUR #

SALES REP

Net 30 Days

COZZI

KEL2

DESCRIPTION	UNIT MEASURE	QUANTITY	UNIT PRICE ITEM DISCOUNT	EXTENDED PRICE
TRANSFER OF WATER & COOLANT FROM COMETCO TO COZZI LABOR	GAL HOUR	3000.00 3.50	87.50	306.25

OCT 16 1998

SUBTOTAL	306.25
TAX	
TOTAL	\$306.25
NET TO PAY	\$306.25

IEPA LICENSED / FULLY INSURED
SPECIALISTS IN RECLAIMING
SPENT LUBE & MOTOR OILS
WASTE WATER & COOLANTS

2232 S. BLUE ISLAND AVE.
CHICAGO, ILLINOIS 60608
773-254-1200



Date 11/1/79
 Dept. Construction
 Job # 68637
 G/L 5980-205

SPECIAL INSTRUCTIONS

5330

Address

City _____ State _____ Zip _____

Invoices 2

Ship to

Address

City _____ State _____ Zip _____

CM-15, REV.-1

Lat

NO. 004

66/11/90

[illegible]

DEPT #	205
APPROVED SIGNATURE OF SUPERVISOR	<i>[Signature]</i>
DATE	10/19/98

783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996 - (630) 595-4291
(800) 894-2190 - FAX (630) 595-4401

(800) 894-2190 - FAX (630) 595-4401

DATE 11-5 1991

JOB SITE:

SIGNATURE

Ref. No: G 006601517

DUKE'S OIL SERVICE, INC.
783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996
(630) 595-4291
(630) 595-4401 FAX

INVOICE

800
894-2190

DOK
032

Date: 10/15/98
Due Date: 11/14/98

Inv. No.: 25937
Page No.: 1

COZZI IRON & SCRAP
2232 S. BLUE ISLAND AVE.
CHICAGO, IL 60608

#76271/1500 W CORTLAND
SERVICES RENDERED 10/13/98
RECLAIM WASTE WATER & OIL FROM
RETENTION POND

REFERENCE

TERMS

YOUR #

CUR #

SALES REP

Net 30 Days

COZZI

C298628

COLON

DESCRIPTION REFERENCE	UNIT MEASURE	QUANTITY	UNIT PRICE ITEM DISCOUNT	EXTENDED PRICE
RECLAIM WATER/OIL FREIGHT & HANDLING	EACH	1550.00 12.00	0.32 385.00	1,456.00 385.00

OCT 21 1998

SUBTOTAL	1,841.00
TAX	
TOTAL	\$1,841.00
NET TO PAY	\$1,841.00

IEPA LICENSED / FULLY INSURED
SPECIALISTS IN RECLAIMING
SPENT LUBE & MOTOR OILS
WASTE WATER & COOLANTS
SPECIAL SERVICES / TANK CLEANING

783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996 • (630) 595-4291
(800) 894-2190 • FAX (630) 595-4401

783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996 • (630) 595-4291
(800) 894-2190 • FAX (630) 595-4401

DATE 10-13 19 98

ADDRESS: 1500 W

JOB SITE: LOC 650

CHARGE	C.O.D.	PURCHASE ORDER #	MANIFEST #	DRIVER
QUANTITY	DESCRIPTION		PRICE	AMOUNT
	GALLONS/BARRELS SPENT PETROLEUM PRODUCTS			
	GALLONS COOLANT/ANTIFREEZE			
	GALLONS WATER SOLUBLE			
	FREIGHT & HANDLING			
	TIME IN: 1:10 TIME OUT: 3:30			
	2550 GALLONS WASTE			
	WATER & OIL FROM RETENTION POND			

78271

SIGNATURE

Ref. No: G 006601517

CUSTOMER Duke's Dr's DATE 10-13-98

ADDRESS _____

CARRIER _____ TRUCK NO. _____

GROSS

32580 lb CR 01:16 PM 10/13/98

68890 lb CR 03:29 PM 10/13/98 TARE

NET

36200

SHIPPER _____ WEIGHER _____

DUKE'S OIL SERVICE, INC.
783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996
(630) 595-4291
(630) 595-4401 FAX

OK
032

INVOICE

800
394-2190

Date: 10/15/98
Due Date: 11/14/98

Inv. No.: 25936
Page No.: 1

COZZI IRON & SCRAP
2232 S. BLUE ISLAND AVE.
CHICAGO, IL 60608

#76270/1500W CORTLAND
SERVICES RENDERED 10/13/98
RECLAIM WASTE WATER & OIL FROM
RETENTION POND

REFERENCE

TERMS

YOUR #

OUR #

SALES REP

Net 30 Days

COZZI

C298628

COLON

DESCRIPTION REFERENCE	UNIT MEASURE	QUANTITY	UNIT PRICE ITEM DISCOUNT	EXTENDED PRICE
RECLAIM WATER/OIL		5700.00	0.32	1,824.00
FREIGHT & HANDLING	EACH	1.00	385.00	385.00

OCT 21 1998

SUBTOTAL	2,209.00
TAX	
TOTAL	\$2,209.00
NET TO PAY	\$2,209.00

IEPA LICENSED / FULLY INSURED
SPECIALISTS IN RECLAIMING
SPENT LUBE & MOTOR OILS
WASTE WATER & COOLANTS
SPECIAL SERVICES / TANK CLEANING

#3

783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996 - (630) 595-4291
(800) 894-2190 - FAX (630) 595-4401

DATE 10-10 19 95

Collet's

1500 W. Cortland

Chicago

CHARGE	C.O.D.	PURCHASE ORDER #	MANIFEST #	DRIVER
QUANTY	DESCRIPTION		PRICE	AMOUNT
	GALLONS/BARRELS SPENT PETROLEUM PRODUCTS			
	GALLONS COOLANT/ANTIFREEZE			
	GALLONS WATER SOLUBLE			
	FREIGHT & HANDLING			
	TIME IN: 10 ²⁰ TIME OUT: 11 ²⁰			
	5700 GALLONS - WASTE			
	WATER & OIL FROM			
	RETENTION POND			

SIGNATURE

AM. ID: C 006601517

CUSTOMER Duke's OIL DATE 10-13-98

ADDRESS _____

CARRIER _____ TRUCK NO. _____

77580 lb CR 11:19 AM 10/13/98 GROSS
32680 lb CR 10:22 AM 10/13/98

44900 TARE

NET

SHIPPER _____ WEIGHER _____

DUKE'S OIL SERVICE, INC.
 783 FAIRWAY DRIVE
 BENSENVILLE, ILLINOIS 60106
 (773) 625-6996
 (630) 595-4291
 (630) 595-4401 FAX

*DUK
032*

INVOICE

800
894-2190

Date: 10/15/98 Inv. No.: 25934
 Due Date: 11/14/98 Page No.: 1

COZZI IRON & SCRAP
 2232 S. BLUE ISLAND AVE.
 CHICAGO, IL 60608

176268/1500W CORTLAN AVE
 SERVICES RENDERED 10/12/98
 RECLAIM WASTE OIL & WATER FROM
 RETENTION POND

REFERENCE

TERMS

YOUR #

OUR #

SALES REP

Net 30 Days

COZZI

C298628

COLON

DESCRIPTION REFERENCE	UNIT MEASURE	QUANTITY	UNIT PRICE ITEM DISCOUNT	EXTENDED PRICE
RECLAIM WATER/OIL	EACH	5700.00	0.32	1824.00
FREIGHT & HANDLING		1.00	385.00	385.00

SUBTOTAL	2,209.00
TAX	
TOTAL	\$2,209.00
NET TO PAY	\$2,209.00

IEPA LICENSED / FULLY INSURED
 SPECIALISTS IN RECLAIMING
 SPENT LUBE & MOTOR OILS
 WASTE WATER & COOLANTS

OCT 21 ENT

2232 S. BLUE ISLAND AVE.
CHICAGO, ILLINOIS 60608
773-254-1200



292187

Date _____

Debt

Job

G/L²

SPECIAL INSTRUCTIONS

To

Address

C114

State

310

Invoices &

Ship to

Address

City

State

Zip

[illegible]

paid P.O. 2/26/98

IMPORTANT

OUR ORDER NUMBER MUST APPEAR ON ALL
INVOICES, PACKAGES, ETC.

PLEASE NOTIFY US IMMEDIATELY IF YOU ARE
UNABLE TO SHIP COMPLETE ORDER BY ORDER DATE
SPECIFIED.

COZZIRON & METAL INC., RESERVES THE RIGHT
FOR ON-SITE INSPECTION.

Tax

Freight Charge

Total

Please Send

Copies of Your Invoice With Original Bill Of Lading

ORDERED BY:

APPROVED BY:

CM-15, REV. 1

ORIGINAL

COZZI 18M → 13126420434

14:34

66-11-90

900 800' ON

PURCHASE REQUISITION

REQ# 65203

504

DATE	STOCK SUPPLIES	EQUIP	UNIT DOWN	SAFETY
10-27				

REQUESTER GUYTON LEE
COMPETIC

[illegible]

DEPT #	APPROVED SIGNATURE OF SUPERVISOR	DATE

FILE COPY

00135 REV-1

4/12/17

PURCHASE REQUISITION

REQ# 65204

DATE	STOCK SUPPLIES	COMP	UNIT PRICE	SALES TAX
4/12/17				

REQUESTER COMETCO
GREG JOHNSON

QTY	PART #	DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
4	K-4	ATTACHMENT II	5330-104	111.77	447.08
4	3000	UNDER 3000 TON 4" DIA	5302-205		
10	3/4"	SOCKET HEAD CAP	5354-205		
2	55 GAL DRUM	11W-32 HYDROL	5302-205		
1	55 GAL DRUM	15W40 MOTOR OIL	11 11		
305 GALS OF WASTE OIL FROM AMERIS 5780-205 WIKES					
TO COZZI					

DATE	APPROVED SIGNATURE OF SUPERVISOR	DATE

FILE COPY

4/12/17
D. Johnson

783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996 - (630) 595-4291
(800) 894-2190 - FAX (630) 595-4401

(800) 894-2190 - FAX (630) 595-4401

DAY:

JOB SITE:

68342

SIGNATURE

783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-8996 - (630) 595-4291
(800) 894-2190 - FAX (630) 595-4401

DATE _____

JOB SITE:

CHARGE	C.O.D.	PURCHASE ORDER #	MANIFEST #	DRIVER
QUANTITY	DESCRIPTION		PRICE	AMOUNT
	GALLONS/BARRELS SPENT PETROLEUM PRODUCTS			
	GALLONS COOLANT/ANTIFREEZE			
2800	GALLONS WATER SOLUBLE		10.00	
	FREIGHT & HANDLING			
	TIME IN: 4:30 TIME OUT: 10:30		At First	
	L 1000		11.30	33.00
Cometco Corp				
To				
Cuzzie				
1000				
33.00				

69173

SIGNATURE

DUKE'S OIL SERVICE, INC.

783 Fairway Dr
Bensenville, IL 60106
(773) 625-6996

DUK 032

Invoice

Invoice No. 22645
Invoice Date 10/27/9
Customer No. 1

Bill To:

COZZI IRON & SCRAP
2232 S. BLUE ISLAND AVE.
CHICAGO, IL 60608

Ship To:

#68173
SERVICES RENDERED 10/24/97
TRANSFER WATER & OIL FROM
COMETCO TO COZZI

Salesman ~~COZZI~~ Shipped Via

Terms ~~C280669~~

FOB

Net 30 Days

C292187

Qty. Ordered	Qty. Shipped	Description	Unit	Amount
--------------	--------------	-------------	------	--------

2800.00 00

RECLAIM WASTE OIL, NO
CHARGE
LABOR

4.00 8750L

87.50 350.00

OCT 30 RECD

2020-200



350.00

\$350.00

0.00

\$350.

REFERENCE

TERMS

C.O.D.

YOUR \$

COZZI

OUR \$

SALES REP
AGU

DESCRIPTION	UNIT MEASURE	QUANTITY	UNIT PRICE	EXTENDED PRICE
REFERENCE			ITEM DISCOUNT	
RECLAIM WASTE OIL & WATER	GAL	600.00	0.40	240.00
FREIGHT & HANDLING		1.00	225.00	225.00

FEB 03 REC'D



SUBTOTAL	465.00
TAX	
TOTAL	\$465.00
NET TO PAY	\$465.00

IEPA LICENSED / FULLY INSURED
SPECIALISTS IN RECLAIMING
SPENT LUBE & MOTOR OILS
WASTE WATER & COOLANTS
SPECIAL SERVICES / TANK CLEANING
NO. 008 010

COZZI 18M + 13126420434

14:34

06/11/99

PURCHASE ORDER

COZZI IRON & METAL INC.

2232 S. BLUE ISLAND AVE.

CHICAGO, ILLINOIS 60608

773-254-1200



298628

Date 10/12/98Dept ComptrolJob # 68640G/L 5980-205

SPECIAL INSTRUCTIONS

To Durbin Oil Service

Address _____

City _____ State _____ Zip _____

Invoice # _____

Ship to _____

Address _____

City _____ State _____ Zip _____

QUANTITY ORDERED	QUANTITY RECEIVED	STOCK NUMBER	DESCRIPTION	UNIT PRICE	TOTAL
			Personal of Waste Oil		
			& Water unit		
			2 Wedge @		\$2628.00
			F.O.	385.00	1540.00
#1		Qno 25935		\$2,209.00	
#2		Qno 25934		\$2,209.00	
#3		Qno 25936		\$2,209.00	
#4		Qno 25937		\$1,881.00	
				8468.00	

Tax

Freight Charge

Total

\$8468.00

Please Send

Copies of Your Invoice With Original Bill Of Lading

ORDERED BY:

APPROVED BY:

ORIGINAL

CRA-12-7E1

IMPORTANT
OUR ORDER NUMBER MUST APPEAR ON ALL
INVOICES, PACKAGES, ETC.
PLEASE NOTIFY US IMMEDIATELY IF YOU ARE
UNABLE TO SHIP COMPLETE ORDER BY ORDER DATE
SPECIFIED.
COZZI IRON & METAL INC. RESERVES THE RIGHT
FOR ON-SITE INSPECTION.

DATE	STOCK SUPPLIES	EQUIP#	UNIT DOWN	SAFETY
10-27-78		240610		4

[illegible]

PURCHASE INQUIRY

REF#

五

DATE	STOCK SUPPLIES	EQUIPS	UNIT DOWN	SOCIETY
10-23-81				

REQUESTER

Robert F. Lee
Confederate

[illegible]

DATE	APPROVED SIGNATURE OF SUPERVISOR	DATE

FALSE COPY

CM-95 REV-1

4/11/74

PURCHASE REQUISITION

REQ# 65204

DATE 4/11/74	BOOK SUP FILES	ROOM#	UNIT DOWN	SAFETY
-----------------	----------------	-------	-----------	--------

REQUESTER (COMETRY)
GREG JOHNSON

QTY	PART#	DESCRIPTION	QTY	VENDOR	PRICE
4	K-4	ATTACHMENT	5302-104	WATTREIC	
1	3/4" GALV. PLATE	DRIVE SHAFT JOINT	5302-205		
10	3/4" SOCKET HEAD CAP		5354-205		
2	3/4" GALV. PLATE	11W-32 HYDOL	5302-205		
1	3/4" GALV. PLATE	15W40 HYDOL	11 11		
STOCKS OF WASTE OIL FROM COMPANY 5740205 DATES					
10 COZZI					

DEPT#	APPROVED SIGNATURE OF SUPERVISOR	DATE

FILE COPY

ATTN: DKKDD

DUKE'S OIL SERVICE, INC.
783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996
(630) 595-4291
(630) 595-4401 FAX

DDK
032

INVOICE

800
894-2190

Date: 10/15/98
Due Date: 11/14/98

Inv. No.: 25935
Page No.: 1

COZZI IRON & SCRAP
2232 S. BLUE ISLAND AVE.
CHICAGO, IL 60608

#76269/1500 W CORTLAND
SERVICES RENDERED 10/13/98
RECLAIM WASTE WATER & OIL FROM
RETENTION POND

REFERENCE

TERMS

YOUR #

OUR #

SALES REP

Net 30 Days

COZZI

C298628

COLON

DESCRIPTION	UNIT MEASURE	QUANTITY	UNIT PRICE	EXTENDED PRICE
REFERENCE			ITEM DISCOUNT	
RECLAIM WATER/OIL		500.00	0.32	160.00
FREIGHT & HANDLING	EACH	1.00	385.00	385.00

CUSTOMER

Dukes Oil Services

DATE

ADDRESS

CARRIER

TRUCK NO.

3246D 1b GR 10:01 AM 10/12/98

GROSS

7824D 1b GR 10:33 AM 10/12/98

TARE

45780

NET

SHIPPER

WEIGHER

DUKE'S OIL SERVICE, INC.
783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996
(630) 595-4291
(630) 595-4401 FAX

INVOICE

800
894-2190

Date: 10/15/98 Inv. No.: 25935
Due Date: 11/14/98 Page No.: 1

COZZI IRON & SCRAP
2232 S. BLUE ISLAND AVE.
CHICAGO, IL 60608

#76269/1500 W. CORRYLAND
SERVICES RENDERED TO 10/13/98
RECLAIM WASTE WATER & OIL FROM
RETENTION POND

REFERENCE: 10/12/98 Net 30 Days COZZI C298628 COLON

DESCRIPTION REFERENCE	UNIT MEASURE	QUANTITY	UNIT PRICE ITEM DISCOUNT	EXTENDED PRICE
RECLAIM WASTE WATER & OIL FROM RETENTION POND	EACH	11.00	0.32 385.00	

SUBTOTAL	2,209.00
TAX	
TOTAL	\$2,209.00
AMOUNT DUE	\$2,209.00

IEPA LICENSED / FULLY INSURED
SPECIALISTS IN RECLAIMING
SPENT LUBE & MOTOR OILS
WASTE WATER & COOLANTS
SPECIAL SERVICES / TANK CLEANING

DUKE'S OIL SERVICE, INC.
 783 FAIRWAY DRIVE
 BENSENVILLE, ILLINOIS 60106
 (773) 625-6996
 (630) 595-4291
 (630) 595-4401 FAX

INVOICE

800
 894-2190

Date: 10/15/98 Inv. No.: 25438
 Due Date: 11/14/98 Page No.: 1

COZZE IRON & SCRAP
 2832 S BLUE ISLAND AVE
 CHICAGO IL 60608

#76270/1500W CORTLAND
 SERVICES RENDERED 10/13/98
 RECLAIM WASTE WATER & OIL FROM
 RETENTION POND

TERMS: Net 30 Days COZZE C298628 COLON

DESCRIPTION REFERENCE	UNIT MEASURE	QUANTITY	UNIT PRICE ITEM DISCOUNT	EXTENDED PRICE
RECYCLING HANDLING	EACH	385.00	0.32	123.20
		1.00	385.00	385.00

SUBTOTAL	2,209.00
TAX	
TOTAL	\$2,209.00
PAID	\$2,209

IEPA LICENSED / FULLY INSURED
 SPECIALISTS IN RECLAIMING
 SPENT LUBE & MOTOR OILS
 WASTE WATER & COOLANTS
 SPECIAL SERVICES / TANK CLEANING

DUKE'S OIL SERVICE, INC.
 783 FAIRWAY DRIVE
 BENSENVILLE, ILLINOIS 60106
 (773) 625-6996
 (630) 595-4291
 (630) 595-4401 FAX

INVOICE

800
 894-2190

Date: 10/15/98 Inv. No.: 25937
 Due Date: 11/14/98 Page No.: 1

COZZI IRON & SCRAP
 2232 S. BLUE ISLAND AVE.
 CHICAGO, IL 60608

#76271/1500 F. CORNHILL
 SERVICES RENDERED 10/13/98
 RECLAIM WASTE WATER & OIL
 RETENTION POND

REFERENCE: (SEE PAGE 1) YOUR # Net 30 Days COZZI C298628 COLON

DESCRIPTION REFERENCE	UNIT MEASURE	QUANTITY	UNIT PRICE ITEM DISCOUNT	EXTENDED PRICE
RECLAIM WASTE OIL FREIGHT & HANDLING	EACH	1.00	0.32 355.00	0.32 355.00

SUBTOTAL	1,841.00
TAX	
TOTAL	\$1,841.00
PAY TO THE ORDER OF	\$1,841.00

IEPA LICENSED / FULLY INSURED
 SPECIALISTS IN RECLAIMING
 SPENT LUBE & MOTOR OILS
 WASTE WATER & COOLANTS
 SPECIAL SERVICES / TANK CLEANING

DUKE'S OIL SERVICE, INC.
783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996
(630) 595-4291
(630) 595-4401

INVOICE

800
894-2190

Date: 1/30/98
Due Date: 1/30/98

Inv. No.: 23427
Page No.: 1

COZZI IRON & SCRAP
2232 S. BLUE ISLAND AVE
CHICAGO, IL 60608

#71547/2545 S WOODS CHICAGO
SERVICES RENDERED 1/29/98
RECLAIM WASTE OIL & WATER
600 GALLONS

REFERENCE

TERMS

C.O.D.

YOUR #

COZZI

OUR #

SALES REP
ALSO

DESCRIPTION	UNIT MEASURE	QUANTITY	UNIT PRICE	EXTENDED PRICE
RECLAIM WASTE OIL & WATER	GAL	600.00	0.40	240.00
FREIGHT & HANDLING		1.00	225.00	225.00

FEB 03 REC'D



SUBTOTAL	465.00
TAX	
TOTAL	\$465.00
NET TO PAY	\$465.00

IEPA LICENSED / FULLY INSURED
SPECIALISTS IN RECLAIMING
SPENT LUBE & MOTOR OILS
WASTE WATER & COOLANTS

66/11/90

783 FAIRWAY DRIVE
BENSENVILLE, ILLINOIS 60106
(773) 625-6996 - (630) 595-4291
(800) 894-2190 - FAX (630) 595-4401

BILL TO:

ADDRESS:

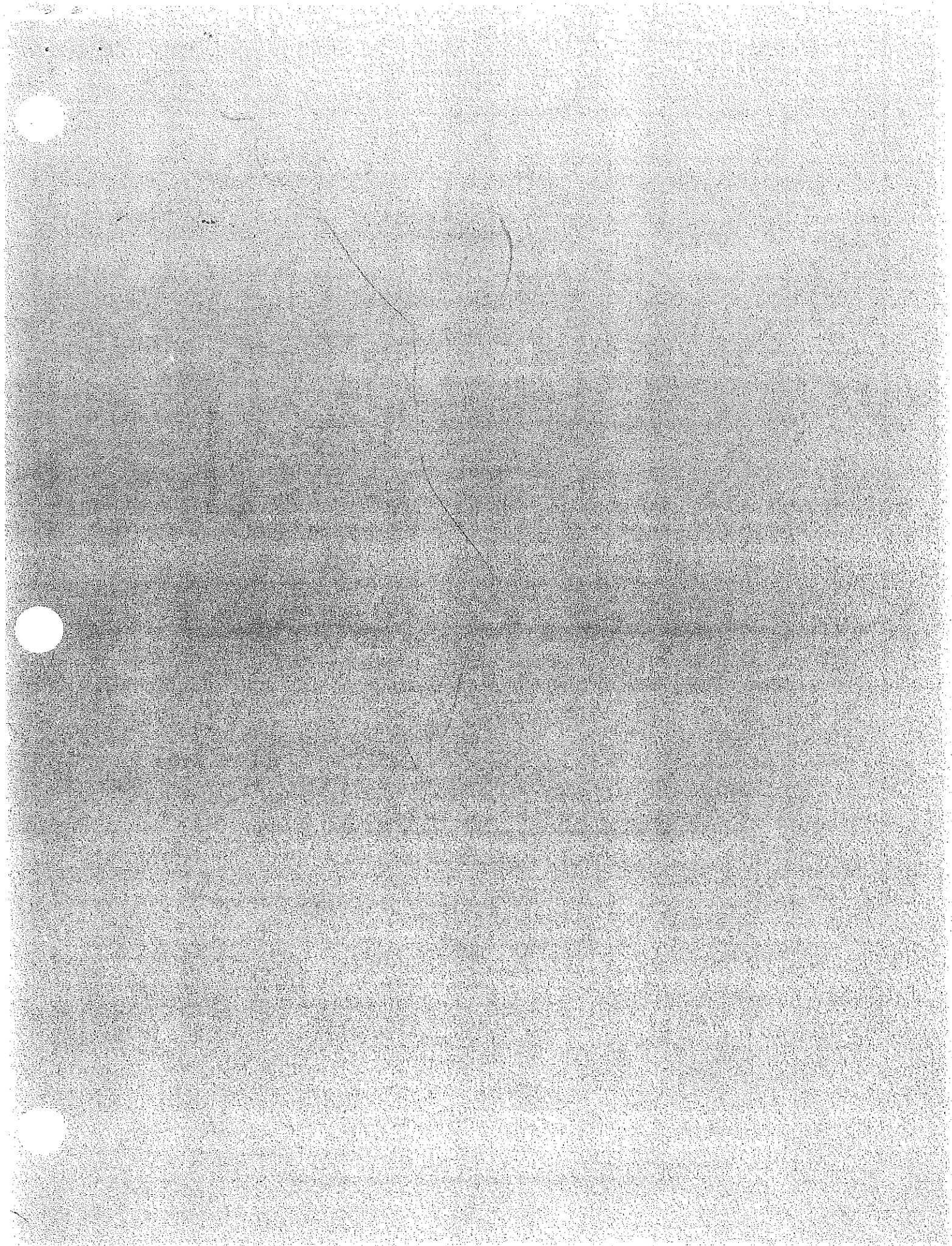
JOB SITE:

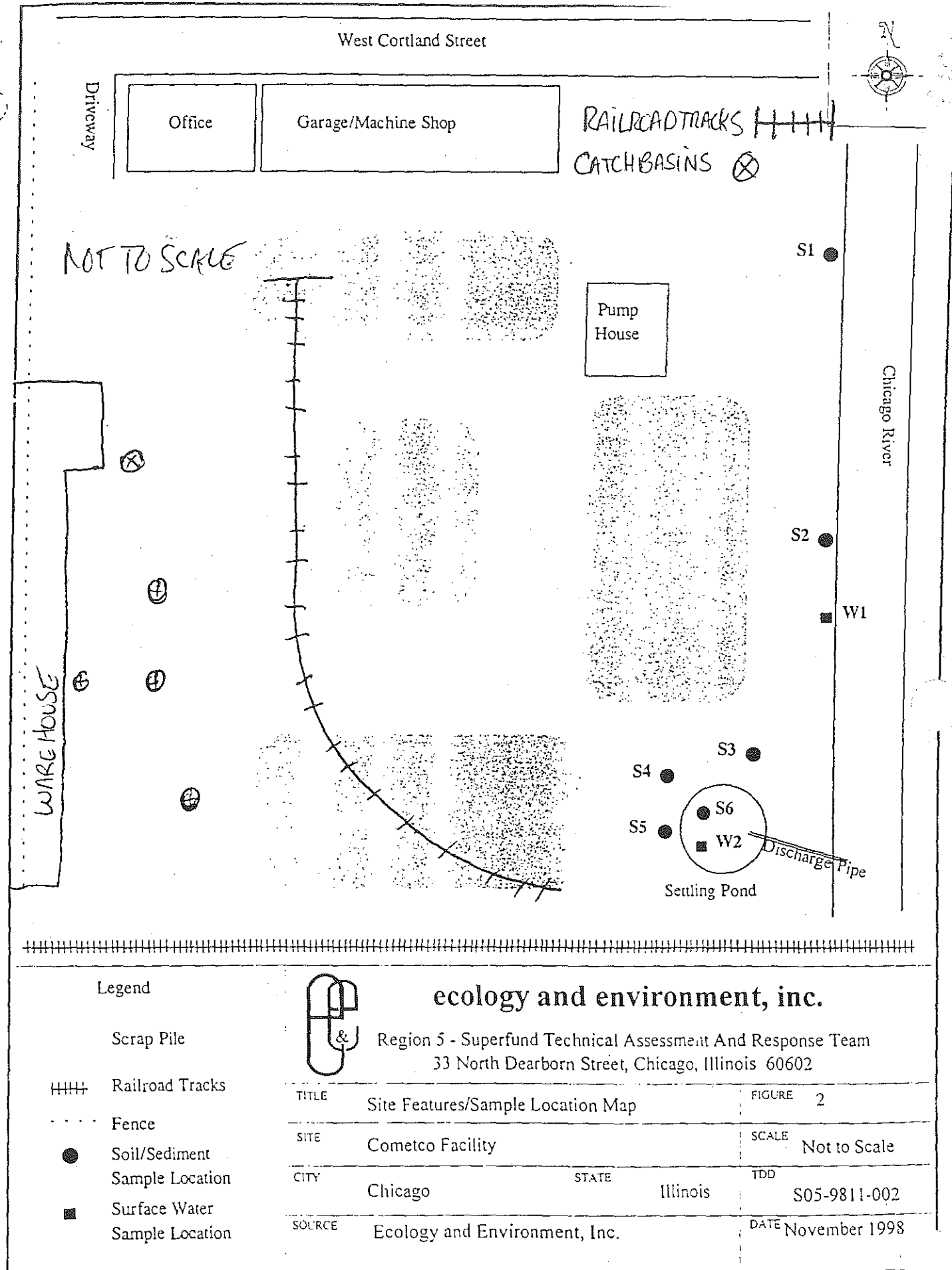
DATE _____

CHARGE	C.O.D.	PURCHASE ORDER #	MANIFEST #	DRIVER
QUANTITY	DESCRIPTION		PRICE	AMOUNT
	GALLONS/BARRELS SPENT PETROLEUM PRODUCTS			
	GALLONS COOLANT/ANTIFREEZE			
2806	GALLONS WATER SOLUBLE		10.52	
	FREIGHT & HANDLING			
	TIME IN: 4:30	TIME OUT: 10:30	AT FIRST	
	L 1005		115	350
Come/CO Corp				
To Cuzzie				
100				
13400				

69173

SIGNATURE





Legend

- Scrap Pile
- ++++ Railroad Tracks
- Fence
- Soil/Sediment Sample Location
- Surface Water Sample Location



ecology and environment, inc.

Region 5 - Superfund Technical Assessment And Response Team
33 North Dearborn Street, Chicago, Illinois 60602

TITLE	Site Features/Sample Location Map		FIGURE	2
SITE	Cometco Facility		SCALE	Not to Scale
CITY	Chicago	STATE	Illinois	
SOURCE	Ecology and Environment, Inc.		TDD	S05-9811-002
			DATE	November 1998



A SUBSIDIARY OF COZZI IRON & METAL, INC.

VIA FAX

June 29, 1990

Mr. Edward L. Marek
Acting Regional Manager
Chicago Area Field Operations Section
Illinois Environmental Protection Agency
1701 First Avenue, Suite 600
Maywood, Illinois 60153

Re: COMETCO Corp.
1509 W. Cortland Ave.
Chicago, IL
IEPA Compliance Letter

Dear Mr. Marek:

We wish to offer the following information in response to your Compliance Inquiry Letter of April 9, 1990.

A number of short-term modifications have been made to the site and in the methods of operation. Investigation of control measures is continuing. The following modifications have been made, which should significantly reduce the discharge of contaminants to the river:

1. Dikes (approximately 1' high) have been placed from the high point of the waterfront area along the shore line to control runoff.
2. Scrap piles have been relocated away from the shore line, which improves the riverfront area.
3. Scrap piles consisting of turnings, which are believed to be the source of oil-like contamination, have also been relocated away from the river to areas where the drainage is contained on the property.
4. Quantities of oil-sorbent material have been obtained. Experimentation continues to find the most effective combination of sorbents.

A number of oil recycling companies have been contacted and negotiations with them for disposal of the accumulated oil-like material continues. This process has taken longer than expected. Meanwhile, on-site uses of the material are being investigated.

1509 West [redacted] Phone: (312) 489-1800

Exhibit 6

A major modification of the site is being evaluated. Changes will alter (and improve) the drainage, add significant mechanical equipment, and result in different scrap materials being processed. The decision on these changes appears to have very different regulatory implications. Treatment of contaminated stormwater for direct discharge or modification of the drainage with diversion to the the City of Chicago sewers are being considered. The decision on the future use is expected within the next six months. It would result in land configuration changes which would differ from those appropriate for present uses and cause a considerable waste of resources. We request that we be allowed to evaluate these decisions prior to making a long-term commitment.

We have obtained copies of the presently available NPDES application forms from the Permit Section in Springfield. Forms specific to stormwater runoff are not yet available. As you are aware, the USEPA intends to issue final stormwater NPDES regulations July 20, 1990, which are expected to be published in late August. This timetable was obtained from Roger Mailer of the USEPA Office of Water Enforcement and Permits. These regulations, in their final form, may differ significantly from currently proposed regulations (this proposed regulation as applied to the scrap metal industry has varied dramatically). Due to the imminent issuance of final Federal Regulations which will specifically address the current situation, together with the interim measures taken and being pursued, we request that actions on proposing a long-term plan be delayed until the regulations are available for review and incorporation in our planning process.

If you have any questions, or require additional information, please advise.

Very truly yours,

COMETCO CORPORATION

Thomas Cohrs

Thomas Cohrs
Vice President

TC/cl

Contaminant	MWRDGC Sewer Discharge Standards	River Discharge Standards	IEPA Sample 3/90
Fats, Oil & Grease	250 mg/l	15 mg/l	15.7 mg/l
Iron	50 mg/l	2 mg/l	8.860 mg/l
Cadmium	2 mg/l	0.15 mg/l	0.011 mg/l
Chromium (total)	25 mg/l	1.0 mg/l	0.020 mg/l
Chromium (hex)	10 mg/l	0.1 mg/l**	*
Copper	3 mg/l	0.5 mg/l	0.202 mg/l
Cyanide	5 mg/l	0.1 mg/l	0.03 mg/l
Lead	0.5 mg/l	0.2 mg/l	1.242 mg/l
Nickel	10 mg/l	1 mg/l	0.413 mg/l
Zinc	15 mg/l	1 mg/l	*
Mercury	0.0005 mg/l	0.0005 mg/l	<0.0005 mg/l
Barium	***	2.0 mg/l	0.2 mg/l
Magnesium	***	***	44.5 mg/l
Manganese	***	1.0 mg/l	*
pH	5 - 10	6 - 9	7.5
BOD	***	20 mg/l	1619 mg/l
TSS	***	25 mg/l	111 mg/l

*Sample results not available

**Monthly Average

***Contaminant not specifically limited



708/345-9780

COMETCO CORP. at 1509 W. Cortland
(Subsidiary of Cozzi Iron & Metal)

COMPLIANCE INQUIRY LETTER

CERTIFIED MAIL
Return Receipt
P 062 394 991

April 9, 1990

Cozzi Iron & Metal, Inc.
2500 S. Paulina Street
Chicago, Illinois 60608

Attn: Mr. Thomas Cohrs, Vice President

Gentlemen:

This inquiry concerns apparent noncompliance with the Illinois Environmental Protection Act, Ill. Rev. Stat. Ch. 111 1/2, 1001-1052. This apparent violation is set forth in Attachment A of this letter.

Please submit in writing, within ten (10) days of receipt of this letter, the reasons for the apparent violation outlined in Attachment A, as well as a description of the steps which have been initiated to prevent any further recurrence of the above-cited violations.

Further, take notice that failure to respond to this notice may be the subject of further action by the Agency pursuant to the Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, et. seq.

Questions concerning this letter should be addressed to Mr. Enoch Mensah of our Maywood office at 708/345-9780.

Very truly yours,

DIVISION OF WATER POLLUTION CONTROL

Edward L. Marek
Edward L. Marek
Acting Regional Manager, Chicago Area
Field Operations Section

ELM:EM:bh:4844B

cc: DWPC/FOS/RU
DWPC/CAS
EM
Roy Kaufman, MWRD

Violation

ATTACHMENT A

Pursuant to Section 12 (a, d & f) of the Environmental Protection Act, "No person shall cause, threaten or allow the discharge of any contaminants into the waters of the State ... in violation of any regulations adopted by the Pollution Control Board...."

You are in apparent violation of Section 12 (a, d & f) and Section 304.106 of Title 35, Subtitle C of the PCB rules for the following reason:

Our investigation of Cometco Corporation at 1509 W. Cortland in Chicago on 3/29/90 revealed a discharge and seepage of a discolored and contaminated runoff from the scrap iron piles on your facility to the North Branch of the Chicago River.

You are also advised to contact our Permit Section in Springfield at 217/782-0610 for an NPDES permit application form immediately.

4844B



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

DRT-8J

Frank J. Cozzi
Registered Agent
Cometco Corporation
2500 S. Paulina Street
Chicago, IL 60608-5307

Re: TSCA Subpoena regarding Oil Separating Pond, and the Facility Located at
1509 West Cortland, Chicago

Dear Sir:

A Subpoena issued under the Toxic Substances Control Act ("TSCA") Section 11(c), 15 U.S.C. § 2610(c), requiring your company to provide the listed documents and information is enclosed. The United States Environmental Protection Agency (U.S. EPA) is requiring this information in order to assist us to analyze issues pertaining to the "Oil Separating Pond" and your company's facility located at 1509 West Cortland Avenue, in Chicago, Illinois.

The Subpoena requires the information to be submitted to U.S. EPA within thirty days of the issuance of the Subpoena. U.S. EPA expects that you comply with this schedule. However, if it proves impossible for you to develop or submit any of the requested information within thirty days, please contact Anthony Restaino of my staff, at (312) 886-6879, to request a written extension, specifying the reasons the requested information cannot be submitted in thirty days. If U.S. EPA finds that an extension is justified for submission of some of the information requested, U.S. EPA will issue you written notice of the extension. You should, nevertheless, promptly submit all of the requested information which is available.

U.S. EPA has determined that this information request is not subject to the requirements of the Paperwork Reduction Act (PRA). The PRA applies only to identical "information collection requests" by Federal agencies to ten or more persons, and this request is issued to a single company.

If you have any questions concerning the information requested in the Subpoena, please contact Ken Zolniercyk of my staff at (312) 353-9687. Legal questions should be addressed to Sherry L. Estes, Assistant Regional Counsel. Her telephone number is (312) 886-7164.

Sincerely,

Phyllis A. Reed, Chief
Pesticides & Toxics Branch
Waste, Pesticides and Toxics Division
Region 5, U.S. EPA

Encl.

cc: Gino Bruni
Illinois EPA

Debra Levin
Environmental Manager
Cozzi Iron & Metal

standard bcc's: official file copy w/attachment(s)
originator's file w/attachment(s)
originating organization reading file w/attachment(s)

other bcc's: S. Estes, C-14J, w/attachment(s)

SIGN-OFF FOR THE OFFICE OF REGIONAL COUNSEL									
	<i>Aut./ Atty</i>	<i>Sec. Secy.</i>	<i>Sec. Chief</i>	<i>Br. Secy.</i>	<i>Branch Chief</i>	<i>RC/DRC Secy.</i>	<i>DRC</i>	<i>RC</i>	<i>Other</i>
<i>Init.</i>									
<i>Date</i>									

S. Estes, March 22, 1999 Cozzi; SUBP.PCB

IN THE MATTER OF:)
Cometco Corporation)
Chicago, Illinois) SUBPOENA DUCES TECUM AND
) SUBPOENA AD TESTIFICANDUM
)

COMETCO CORPORATION IS HEREBY COMMANDED, pursuant to the provisions contained in the Toxic Substances Control Act ("TSCA") Section 11(c), 15 U.S.C. § 2610(c), TO PRODUCE for inspection and/or copying on behalf of the United States Environmental Protection Agency ("U.S. EPA"), those items identified and described on the attached pages.

(1) As to each category of inquiry specified in the attachment to this subpoena, certification of the submitted information by an individual spokesperson who:

- (a) has knowledge of the facts and events for which the inquiry is sought; and
- (b) has knowledge of the existence and/or non-existence of such category of records that pertain to the inquiry specified in the subpoena; and
- (c) can provide responsive and relevant information (to the full extent of the Corporation's and the individual's information, or belief, or knowledge concerning such facts, events and records) which testimony the Corporation ADOPTS IN ADVANCE as its own utterances made under the Federal penalties for perjury and false statements; and
- (d) who is expressly authorized by the Company to provide all such testimony; and
- (e) who in fact complies with all of the foregoing.

You are hereby advised that the Agency is authorized to seek both civil penalties and criminal sanctions (for knowing and willful violations) of TSCA pursuant to 15 U.S.C. § 2615. All information disclosed pursuant to this subpoena shall be evaluated in accordance with said powers.

These documents and information are due in 30 days, unless an extension is agreed to in writing between you and Anthony Restaino of my staff.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY RESULT IN COURT PROCEEDINGS AGAINST YOU IN A UNITED STATES DISTRICT COURT.

Issued at Chicago, Illinois, this _____ day of _____, 1999.

Phyllis A. Reed, Chief
Pesticide and Toxics Branch
Waste, Pesticide and Toxics Division
U.S. Environmental Protection Agency
Region 5, DT-8J
77 West Jackson Boulevard
Chicago, Illinois 60604

Attorney contact:
Sherry L. Estes
Assistant Regional Counsel
U.S. EPA, Region 5
Chicago, Illinois
(312) 886-7164

ATTACHMENT TO SUBPOENA-COMETCO

I. INSTRUCTIONS

Each document submitted shall be clearly and precisely identified by its title, author, date of preparation, subject matter, and the numbered paragraph to which it responds.

1. Upon receipt of this subpoena, all records relating in any manner to any aspect of management, regulation, investigation, or any other environmentally related issue or state of affairs, at Cometco Corporation ("Cometco"), or its affiliates or agents, in relation to the general subjects of inquiry in this subpoena are to be retained until further notice is received from U.S. EPA. Destruction of any records containing any information about, or references to, any such matter constitute a failure to comply with this subpoena and may result in a court action against you.
2. For each response to this subpoena which includes documents, compile an index of the documents produced. The index should state the paragraph number of the information and document request and list all documents submitted in response to that paragraph.
3. If the information sought by this subpoena is not contained in a document, separately identify the person(s) who provided the information in your response, the basis for each person's knowledge, the position occupied by the person providing the response, and that person's business address and supervisor.
4. If any document was, but is no longer, in the possession, custody, or control of Cometco, provide the following information:
 - (a) state the disposition of the document;
 - (b) state the date such disposition was made;
 - (c) identify the present custodian of the document and state his address or, if the document no longer exists, so state;
 - (d) identify the person who made the decision regarding the disposition of the document;
 - (e) state the reason for the disposition; and
 - (f) describe the document and the contents of the document, including the title, date, author, addresses, locations and number of copies made and the location of the copies.

II. DEFINITIONS

5. "Cometco Corporation" or "Cometco" includes officers, directors, agents or employees of Cometco Corporation, including contractors, consultants, employees or any such person, and any merged, consolidated, or acquired predecessor or parent, subsidiary, division, or affiliate thereof and its corporate offices, field offices and any other place utilized for the purpose of operating and maintaining its business.

6. "Dispose" or "disposal" means any discharge, release, or placement of a substance or substances into or on any area of land or water, or other action to contain, transport, or destroy a substance or substances, including those actions described in 42 U.S.C. § 6903(3) and as the term is defined in 40 C.F.R. § 761.3.

7. "District" refers to the Metropolitan Water Reclamation District of Greater Chicago.

8. "Document" or "record" means the original or true copy, or substantial copy of all written, typewritten, handwritten, printed, or graphic matter of any kind or nature, however produced or reproduced (including any copies containing additional matter), any form of collected data for use with electronic data processing equipment, and any mechanical or electronic visual or sound recordings including, without limitation, all tapes and discs, now or formerly in your possession, custody, or control. It includes, but is not limited to, any logs of materials or containers shipped or received, other logs, invoices, purchase orders, checks, receipts, bills of lading, weight receipts, toll receipts, loading tickets, receiving tickets, shipping orders, manifests, inventories, licenses, permits, reports to the government agencies, ledgers, accounts receivable, accounts payable, account statements, financial statements, monthly reports, other reports, minutes of meetings, sales estimates, sales reports, source and use analyses, memoranda, handwritten or other notes, calendar or diary of entries, agendas, bulletins, graphs, charts, maps, photographs, films, drawings, surveys, data, sampling results, analytical results, description of materials, load schedules, price lists, summaries, telegrams, teletypes, computer printouts, magnetic tapes, discs, microfilm, and microfiche.

9. "Hazardous waste" means hazardous waste as defined in 40 C.F.R. §261.3.

10. "Hazardous waste fuel" includes hazardous wastes that are burned for energy recovery in any boiler or industrial furnace that is not regulated under Subpart O of 40 CFR Part 264 or 265, except as provided by 40 CFR 266.30(b). Fuel produced from hazardous waste by processing, blending, or other treatment is also hazardous waste fuel. (See 40 CFR 266.30(a).)

11. "Manifest" means the shipping document U.S. EPA form 8700-22 and, if necessary, U.S. EPA form 8700-22A, originated and signed by the generator in accordance with the instructions included in the Appendix to Part 262 (40 CFR 260.10 and 320 IAC 4.1-1-7).

12. "Or" shall be construed either conjunctively or disjunctively to bring within the scope of the information requests of this subpoena any information which might otherwise be construed to be outside the scope of these requests.

13. "Polychlorinated biphenyls" or "PCB" or "PCBs" means any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees or any combination of substances which contain such substances as defined in 40 C.F.R. § 761.3. These terms also include, but are not limited to, substances sold, marketed, distributed, processed, manufactured, used, etc., under the following trade or product names: Hyvol, Chlorextol, Asbestol, Clophen, Dk, Fencolor, Incolor, Dykanol, Eucarel, Pyranol, Askarel, Non-Flammable Liquid, Clorphen, Kennechlor, Saf-T-Kuhl, Elamex, Aroclor, Santotherm FR, Pyroclor, Therminol, Pydraul, Santovac 1 and 2, Askarel EEC-18, Aroclor 8, EEC-18, Phenoclor, Phyrallene, Diacolor, Chlorinol, No-Flamel, Inarteen, Napolin, Apirolo, Kanaclor.

14. "Release" or "releases" means any spilling, leaking, pumping, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment.

15. "Storage" or "store" means the containment of waste or chemical substances, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal of such wastes.

16. "Surface impoundment" or "impoundment" means a facility or part of a facility which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding storage, settling and aeration pits, ponds, and lagoons. (40 C.F.R. § 260.10).

17. "Oil separating pond" refers to the surface impoundment located on or near the Cometco Corporation facility at 1509 West Cortland Avenue in Chicago, Illinois.

18. "Treatment" means any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any waste so as to neutralize such wastes, or so as to recover energy or material resources from the waste, or so as to render such waste non-hazardous, or less hazardous, safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume.

19. "Used oil" means any oil that has been refined from crude oil, used, and, as a result of such use, is contaminated by physical or chemical impurities (40 CFR 266.40(b)).

20. "Used oil fuel" includes used oil that is burned for energy recovery in any boiler or industrial furnace that is not regulated under Subpart O of 40 CFR 264 or 265, except as provided by 40

CFR 266.40(c) and 40 CFR 266.40(e). Used oil fuel includes any fuel produced from used oil by processing, blending, or other treatment. (See 40 CFR 266.40(a).)

21. "On-specification used oil fuel" is used oil fuel that does not exceed any of the allowable levels of constituents and properties given in the table at 40 CFR 266.40(e).

22. "Off-specification used oil fuel" is used oil fuel that exceeds allowable levels of constituents and properties given in the table at 40 CFR 266.40(e).

23. "Waste determination" means performing all applicable procedures in accordance with the requirements of 40 C.F.R. §265.1084 of Subpart CC to determine whether a hazardous waste meets standards specified in Subpart CC.

III. INFORMATION AND DOCUMENTS REQUESTED

You are hereby requested to supply information and documents as indicated below:

"Oil Separating Pond"

1. Provide any available documentation on the construction of the "Oil Separating Pond." Include information on the type of liner used and the dates of construction, including a response to the following questions:

- (a) Is there a clay or synthetic liner underneath the material in the oil separating pond?
- (b) What is the thickness and hydraulic conductivity of such liner(s)?

2. Provide all documents that record, discuss, refer or relate to the design or construction of the "Oil Separating Pond", including but not limited to design specification/criteria, improvement, alteration, construction and/or remodeling documents, engineering studies, experiments and/or evaluations, bid specifications, bid submittals, maintenance, inspection, repair, improvements and/changes to the "Oil Separating Pond", "Oil Separating Pond" capacity, cost estimation and budgeting relating to the "Oil Separating Pond".

3. Is there a leachate collection system for the "Oil Separating Pond"? If so, how much leachate has been generated per each system and how often is the leachate disposed of? Where is the leachate disposed of and what treatment techniques, if any, are used before disposal?

4. Are there any diversion structures, perimeter drainage ways, containment dikes or berms at the site of the "Oil Separating Pond," particularly any which would prevent the discharge of

surface water from the facility into the Chicago River? If so, where are they located? Include diagrams.

5. When were any diversion structures, perimeter drainage ways, containment dikes or berms at the "Oil Separating Pond" constructed? What are their dimensions and construction material?
6. After a period of heavy rainfall, U.S. EPA inspectors observed water draining into the oil separating pond but not exiting the pond via the discharge pipe. Provide an explanation for the unaccounted water loss of the pond.
7. Provide all documents that record, discuss, refer or relate to the closure of the "Oil Separating Pond", including but not limited to, engineering studies, experiments and/or evaluations, design specifications/criteria, improvement, alteration, remodeling, construction plans or documents, bid specifications, bid submittals, inspections, sampling, repair, improvements/changes to the "Oil Separating Pond", disposal and/or routing of the solid wastes, cost estimates, cost data and cost justifications, and budget and budget justifications for the closure and/or potential closure of the "Oil Separating Pond".
8. Provide all documents that discuss, refer or relate to any groundwater monitoring program, or the need for a groundwater monitoring program, for the "Oil Separating Pond".
9. Provide all documents that discuss, refer or relate to whether the "Oil Separating Pond" meets, should meet, or is required to meet, the minimum technology requirements of RCRA (i.e., 40 C.F.R. §§ 264.221 and 265.221.
10. Describe the schedule for the removal of any materials from the "Oil Separating Pond", and respond to the following questions:
 - (a) Describe the types of materials removed from the "Oil Separating Pond", the quantities of materials removed and their ultimate destination. Provide copies of all documents which discuss, refer, or relate to the removal and or quantities of materials removed from the "Oil Separating Pond".
 - (b) Provide copies of all documents which discuss, refer or relate to all materials suspected to be contaminated with or by PCBs. to the removal of materials from the "Oil Separating Pond" by Duke's Oil Service, or any other used oil or waste oil re-processor or transporter.
11. Provide copies of all documents which discuss, refer or relate to the types and quantities of used oil which is re-processed by Duke's Oil Service, and which are shipped

by Duke's to any other Cozzi facility. Describe the ways in which this re-processed oil is used, as a fuel or otherwise, at these facilities.

12. Provide copies of all waste determinations conducted by Cometco, Duke's Oil Service or any other party with regard to used oil or other material removed from the "Oil Separating Pond".

13. To the extent that materials removed from the "Oil Separating Pond" are treated and/or disposed of, please provide:

(a) Describe the treatment method(s) utilized, and provide copies of all analytical results for the treated material, as well as for any treatment residuals.

(b) Provide copies of all documents, including manifests, which discuss, refer or relate to the treatment and/or disposal of materials from the "Oil Separating Pond" for the last 5 years. The documents provided should evidence the ultimate disposal location of any materials disposed of after they are removed from the "Oil Separating Pond".

14. Provide all documents that discuss, refer or relate to whether any wastewaters or other substances or other contents of the "Oil Separating Pond" have spilled, leaked or otherwise gotten onto or into any area outside of or beneath the "Oil Separating Pond", including into any surface or groundwater.

15. Provide all documents that discuss, refer or relate to whether Cometco was required to, or should obtain, any permit regarding the management, treatment or storage of hazardous waste or used oil in the "Oil Separating Pond".

16. Provide all documents that discuss, refer or relate to whether the "Oil Separating Pond" were subject, or potentially subject, to any requirement of any local ordinance, or state or federal environmental law, code, regulation or requirement.

17. Provide all documents that record, discuss, refer or relate to the evaluation or analysis of any waste streams, including all solid wastes and used oils entering or conveyed to, either directly or indirectly, the "Oil Separating Pond", including but not limited to, all studies, evaluations, assessments, inspections of any such wastestream, s used oils, and solid waste.

18. State whether any hazardous waste or hazardous constituents, or used oil, as defined by federal or state RCRA regulations, was or may have been discharged into the "Oil Separating Pond" at any time, and if the answer is in the affirmative, for each such instance,

describe in detail the discharge(s), including the source, identity and amounts of the waste, and the time period of the discharge(s).

19. Has the Cometco site been used for the storage of shredded scrap materials, fluff or shredder residue? If so, provide the dates when any such material was stored, and the quantities of material stored. In addition, provide any sampling results of the stored material.

20. Describe the types of cutting oil used on the machine turnings typically found at the site. Give specific brand names or trade names, if possible. Provide any documents, whether product information from the cutting oil processor or chemical sampling results, that evidences the chemical composition of these cutting oils.

21. For 1997 through the present, provide the names of the machine shops or manufacturers, that provided machine turnings shipped directly to the Cometco facility or shipped to another Cozzi facility prior to arriving at the Cometco facility. In addition, provide copies of all invoices, shipping, or other documents that evidence the quantity and type of materials shipped directly to Cometco or shipped to another Cozzi facility prior to arriving at the Cometco facility.

22. Provide the latest NPDES and District permit and the permit applications for the facility submitted in accordance with the Clean Water Act to the Illinois Environmental Protection Agency and the District.

23. Provide information concerning storm water flow at the facility, including providing any and all documents and diagrams containing information regarding the following:

(a) Describe or locate the storm water and sanitary sewers and catch basins at the facility.

(b) Provide a list of all sources of discharge to storm water and sanitary sewers.

(c) Describe the sources of discharge to the storm water and sanitary sewers and catch basins.

(d) Show where and how the information in subparagraphs a-c, above, were disclosed to the District or Illinois EPA. Provide copies of all correspondence directed to or from the District or Illinois EPA which refers to or relates to any of the above information.

24. Describe the surface water flow at the facility during rainfall events, including any discharge to the Chicago River and the storm water sewers.

25. Where did runoff from any unprocessed and product piles and machine turning pile(s) drain, and how was it handled, before construction of any containment dikes and perimeter drainage at the fluff pile site?

26. Where does runoff from any unprocessed and product piles and machine turning pile(s) drain, and where are the discharge points for any existing perimeter drainage ways at the facility?
27. Is runoff from any of the unprocessed and product piles and/or machine turning pile(s) collected or treated before discharge to the storm and sanitary sewers and/or Chicago River? Provide all documents which discuss, relate or refer to any treatment process, and any analytical results of any treatment residuals.
28. Provide copies of all communications, including but not limited to correspondence, meeting notes, records, notices of violation, administrative and/or judicial complaints, and any other enforcement documents between Cometco and the Illinois EPA or the District related to compliance with the Clean Water Act from April 1, 1994 to the present.
29. Does the groundwater at the facility flow into or toward the Chicago River?
30. Has any groundwater, leachate and/or contaminant pathway modeling or analysis been done for the facility, particularly for any used oil(s) and/or cutting oils. What is the result of this modeling or analysis? Provide any reports of such modeling or analysis.
31. Does leachate from the "Oil Separating Pond" ever reach the Chicago River? How does Cometco prevent leachate from reaching the River?
32. Describe any discharge from the "Oil Separating Pond" to the Chicago River and submit any sampling results from such a discharge from Jan. 1, 1994 to the present.
- (a) For each discharge identify the quantity of wastewater and where the wastewater overflowed.
 - (b) For the period of Jan. 1, 1994 to the present, describe the amount of wastes both liquid and solid in volume or mass measurements that enter the "Oil Separating Pond". Provide copies of any and all documents evidencing this information.
33. Describe Cometco's policy and procedures for disposing of PCBs or materials suspected to be contaminated with or by PCBs. Provide all documents evidencing the treatment or disposal of PCBs or materials suspected to be contaminated with or by PCBs.

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
U.S. EPA REGION 5

AFFIDAVIT CONCERNING DOCUMENTS SUBMITTED TO U.S. EPA
PURSUANT TO SUBPOENA

NUMBER: _____

STATE: _____ ss.

COUNTY OF _____

I, the undersigned affiant, first being duly sworn, upon oath, depose and say:

1. Attached hereto is an index of documents submitted to U.S. EPA. Documents listed on the attached index are hereby incorporated by reference into the response to this subpoena.
2. I am a custodian of the records submitted to U.S. EPA and listed on the Index attached hereto and attest to the fact that true and correct copies of the documents listed in the Index were supplied to U.S. EPA to the persons listed in the Index.
3. I have made a diligent search and inquiry for all records which are reasonably described in the subpoena to which this affidavit responds. I have not found or located, and I have not been told about, and I have no knowledge of, any records coming within the descriptions set forth in the said subpoena which have not been copied and submitted along with the Affidavit Responding by Mail to Subpoena Duces Tecum or listed in the attached index of documents previously submitted to U.S. EPA.
4. I acknowledge that this affidavit is submitted to the United States in connection with a matter within the jurisdiction of U.S. EPA and that any material false statement of fact herein may be a crime under 18 U.S.C. § 1001.

DATED: _____ SIGNED: _____

TYPED NAME: _____

OFFICE OR TITLE: _____

SWORN AND SUBSCRIBED TO before me, the undersigned Notary Public on this _____ day of _____, 199_.

(SEAL) _____

NOTARY PUBLIC in and for the State of _____ residing at _____

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 5

AFFIDAVIT OF SERVICE

I hereby certify that a true and correct original of the foregoing Subpoena Duces Tecum
and Subpoena Ad Testificandum was placed in the United States Mail, certified mail, return
receipt requested, No. _____ on this ____ day of _____, 1994. addressed to

Registered Agent
Cometco Company
15407 McGinty Road West
Minnetonka, Minnesota 55343

{NAME}

ATTACHMENT A

VIOLATIONS OF THE SPCC REGULATIONS FOUND DURING INSPECTION FOR THE FACILITY LOCATED AT 2500 SOUTH PAULINA STREET

For Failure to Have Plan Certified by a Registered Professional Engineer: An SPCC Plan which is properly certified by a registered professional engineer in accordance with 40 CFR 112.3(d), which requires a certification statement, signed by the registered engineer with the registration number, state of registration and affixed with the engineer's seal.

For Failure to Maintain SPCC Plan at the Facility: A copy of the SPCC Plan and a certification signed by an authorized official of your facility that the SPCC Plan shall be available at your facility.

For Inadequate SPCC Plan: Metal Management Midwest, Inc. must submit, within thirty days of receipt of this letter, an adequate SPCC Plan, certified by a Registered Professional Engineer, and approved by management at a level with authority to commit the necessary resources to implement the Plan. The inadequacies are detailed in this Attachment.

For Failure to Implement the Facility's SPCC Plan: Metal Management must submit a detailed schedule which indicates when the facility's SPCC Plan will be implemented. Once the Plan has been fully implemented, Metal Management should submit photographic evidence documenting full implementation, along with a statement from an authorized representative of your facility identifying and authenticating the photographs and certifying the date on which the facility fully implemented its SPCC Plan. Metal Management will also need to respond to/address the fact that the SPCC Plan was only generated in 1999. According to facility representatives, operations began in 1974; the SPCC regulations required submission of an SPCC Plan within 6 months of the effective date of the regulations and 12 months to implement the SPCC Plan. The response should include an offer of settlement for the penalty tentatively calculated for the failure to comply with the SPCC regulations.

40 CFR 112.7 - Guidelines for the preparation and implementation of a Spill Prevention Control and Countermeasure Plan

Failure to provide full approval of management at a level with authority to commit the necessary resources.

Please have Plant Manager sign the management approval section.

Failure to provide complete discussion and implementation schedule of items to be installed.

Please clarify what containment is currently in place and what will be constructed, for example, does Tank 1 already have metal containment and state the dimensions of the earthen berm for Tanks 5 and 6.

Failure to follow the sequence of § 112.7.

Specifically, under General Information, the Plan should have the following elements:

- 1) Briefly describe the business activity.*
- 2) State the date the facility began operation.*
- 3) Describe the hours of operation.*
- 4) Describe if the facility is fenced completely, etc.*

(b) Failure to predict the direction, rate of flow, and total quantity of oil which could be discharged from the facility as a result of each major type of equipment failure.

Please include a description of each major type of equipment, including a prediction of the direction, rate of flow and total quantity of oil which could be discharged if that major type of equipment failed.

(e)(1) Failure to provide complete discussion and/or implement requirements pertaining to Facility Drainage.

Failure to provide other means of adequate drainage systems

Tank 1 is identified as an underground oil/water separator. Please discuss the facility drainage collection system including any water treatment that is performed on -site prior to discharge. In the Petroleum Storage Areas spill prevention section (page 15), please discuss any drains within the maintenance buildings.

(e)(2) Failure to provide complete discussions and/or implement requirements pertaining to Bulk Storage Tanks

(i) Tank material/construction is not compatible with fluid stored.

The fluid which is stored must be compatible with the tanks in which it is stored, and the SPCC Plan should indicate the compatible storage.

(ii) Failure to provide secondary containment for the largest single tank plus an allowance for precipitation.

In your SPCC Plan, you identify two tanks (Tanks 20 and 21), as having adequate secondary containment. Please change the tank containment survey to identify the containment provided for all tanks. For many tanks, the SPCC Plan states the containment is "not applicable". The regulations require secondary containment for each bulk storage installation, equal to the capacity of the largest single tank in the installation, plus an allowance for precipitation. Additionally, the Spill Prevention and Countermeasures section discusses several areas of concrete curbing that will be used as containment as specified in the Site Management Plan (SMP). Why is this information not in the SPCC Plan? Please include this information and provide the schedule for the construction of the curbing.

Several tanks and petroleum storage areas appear to have no secondary containment, specifically Tanks 3, 10, 11, 14, 15, 17, 18, 19, 20, 21, and 23. Several other tanks identify buildings as their secondary containment. Please discuss the containment for the uncontained tanks and reservoirs. Please also discuss how the facility buildings act as secondary containment. Are there floor drains within the buildings? Where do the floor drain discharge? Is containment provided at the doorways?

Dike walls and floors are not "sufficiently impervious".

Dike walls and floors must be "sufficiently impervious" to contain spilled oil and facility's compliance with this requirement must be stated in the SPCC Plan.

(iv) Failure to either wrap or coat new buried metallic storage tanks to reduce corrosion (or other effective method compatible with local soil conditions), and plans for regular pressure testing of all buried tanks;

Please address whether any buried metallic storage tanks are present at your facility, and if so, please ensure, and state in the SPCC Plan, the means that you have taken to comply with these requirements.

(vii) Failure to control internal heating coil leakage by:

(A) Monitoring the steam return or exhaust lines for oil or passing the steam lines through a separation system

(B) Installing external heating system

Please address whether any internal heating coils are in use at your facility. If so, the facility must comply with this regulatory requirement, and discuss its manner of compliance in the SPCC Plan.

(viii) Failure to implement fail-safe engineering techniques on the tanks with one of the following:

(A) High liquid level alarms with audible or visual signals;

(B) High liquid level pump cutoff devices;

(C) Direct audible or code signal between the tank gauge and pumping station;

(D) A fast response system to detect oil level such as computers;

(E) Sensing devices should be inspected/tested periodically.

State in the SPCC Plan which of the above or other alternative techniques are utilized or when the future technique(s) will be implemented.

(ix) Failure to observe disposal facility systems which discharge into navigable waters on a frequent basis.

The inspection schedule frequency should be stated in the Plan, and fully implemented.

(ix) Failure to properly locate portable or mobile oil storage tanks to prevent oil from reaching navigable waters.

Metal Management should expressly state in the Plan where any such mobile tanks will be located.

ailure to provide secondary containment for the single largest compartment or tank.

The SPCC Plan identified five portable storage tanks in Yard 10 with no secondary containment. Please describe how the storm water collection system will be protected against spills from these tanks?

(e)(3) Failure to provide complete discussions and/or implement requirements pertaining to Facility Transfer Operations.

(i) Failure to wrap/coat buried pipelines to reduce corrosion.

To the extent that any buried pipelines from Facility Transfer Operations exist at the Paulina facility, Metal Management's methods of compliance with these requirements should be discussed in the Plan and implemented.

(ii) Failure to cap or blank flange the terminal connection at the transfer point of a pipeline when not in service or on standby for an extended time.

Not stated in plan.

(iii) Failure to provide pipe supports which are designed to minimize abrasion and corrosion and allow for expansion and contraction.

Not stated in plan.

(iv) Failure to regularly assess all aboveground valves and pipelines by operating personnel.

Not stated in plan.

Failure to conduct periodic pressure testing for piping in areas where facility drainage is such that a failure may lead to a spill event.

Not stated in plan.

(v) Failure to warn large vehicles verbally or by appropriate signs to be cautious of aboveground piping.

Not stated in plan.

(e)(5) Failure to provide complete discussions and/or implement requirements pertaining to Facility Tank Truck Loading/Unloading Rack.

(i) Failure to meet the minimum requirements and regulation established by the Department of Transportation regarding tank car and tank truck loading and unloading procedures.

Not stated in plan.

(ii) Failure to provide a quick drainage systems with a containment volume greater than the largest compartment of any tank car or truck where drainage does not flow into a catchment basin or a treatment facility.

Not stated in plan. Containment or diversionary structures need to be addressed at every area within the facility where tank truck loading or unloading occurs.

(iii) Failure to provide an interlocked warning light or physical barrier system or warning signs in loading/unloading areas to prevent vehicular departure before complete disconnect of flexible or fixed transfer lines.

Not stated in plan.

(iv) Failure to inspect drains and outlets on tank cars and tank trucks for leakage prior to filling and departure.

Not stated in plan

(e)(8) Failure to include written procedures for required inspection and records of same inspections in the SPCC Plan for a period of three years.

Please include at least six(6) completed inspection records in the SPCC Plan.

(e)(9) Security (excluding oil production facilities).

(iv) Failure to securely cap or blank-flange loading/unloading connections of oil pipelines when not in service or on standby status for an extended time period.

Not stated in plan.

IN ADDITION

- Please complete and sign the Certification of Substantial Harm Determination form included in the SPCC Plan.
- Somewhere state the spill equipment that is available. For example, 10 bags of oil-dri® , etc.
- A plot plan of the facility should be included with this SPCC Plan.
- Page 7 of the SPCC Plan, change “Regional Director” to “Regional Administrator”.
- Page 12 of the Tank Containment Summary identifies two tanks numbered Tank # 20 and two tanks numbered Tank # 21. Please clarify the numbering of these tanks.
- Yard 6 is discussed in the SPCC Plan but not identified on any of the furnished maps. Where is Yard 6?

- Several maps identify areas of regrading needed throughout the facility. Has this regrading occurred? If not, please provide a schedule for the regrading activities

ATTACHMENT B

VIOLATIONS OF THE SPCC REGULATIONS FOUND DURING INSPECTION FOR THE FACILITY LOCATED AT 9331 SOUTH EWING AVENUE

For Failure to Have Plan Certified by a Registered Professional Engineer: An SPCC Plan which is properly certified by a registered professional engineer in accordance with 40 CFR 112.3(d), which requires a certification statement, signed by the registered engineer with the registration number, state of registration and affixed with the engineer's seal.

For Failure to Maintain SPCC Plan at the Facility: A copy of the SPCC Plan and a certification signed by an authorized official of your facility that the SPCC Plan shall be available at your facility.

For Inadequate SPCC Plan: Metal Management Midwest, Inc. must submit, within thirty days of receipt of this letter, an adequate SPCC Plan, certified by a Registered Professional Engineer, and approved by management at a level with authority to commit the necessary resources to implement the Plan. The inadequacies are detailed in this Attachment.

For Failure to Implement the Facility's SPCC Plan: Metal Management must submit a detailed schedule which indicates when the Ewing facility's SPCC Plan will be implemented. Once the Plan has been fully implemented, Metal Management should submit photographic evidence documenting full implementation, along with a statement from an authorized representative of your facility identifying and authenticating the photographs and certifying the date on which the facility fully implemented its SPCC Plan. Metal Management will also need to respond to/address the fact that the SPCC Plan was only generated in 1999. It is unknown when operations began; for existing facilities, the SPCC regulations required submission of an SPCC Plan within 6 months of the effective date of the regulations and 12 months to implement the SPCC Plan and, for new facilities, the SPCC regulations require submission from time of startup of the new facility: 6 months to prepare SPCC Plan and 12 months to implement. The response should include an offer of settlement for the penalty tentatively calculated for the failure to comply with the SPCC regulations.

40 CFR 112.7 - Guidelines for the preparation and implementation of a Spill Prevention Control and Countermeasure Plan

Failure to provide full approval of management at a level with authority to commit the necessary resources.

Please have Plant Manager sign the management approval section.

Failure to provide complete discussion and implementation schedule of items to be installed.

Please clarify what containment is currently in place and what will be constructed, for example, does Tank 1 already have metal containment? Also, state the dimensions of the earthen berm for Tanks 5 and 6.

Failure to follow the sequence of § 112.7.

Specifically, under General Information, the Plan should have the following elements:

- 1) Briefly describe the business activity.*
- 2) State the date the facility began operation.*
- 3) Describe the hours of operation.*
- 4) Describe if the facility is fenced completely, etc.*

(b) Failure to predict the direction, rate of flow, and total quantity of oil which could be discharged from the facility as a result of each major type of equipment failure.

Please include a description of each major type of equipment, including a prediction of the direction, rate of flow and total quantity of oil which could be discharged if that major type of equipment failed.

(c) Failure to provide adequate secondary containment and/or diversionary structures or equipment if practicable; including sorbent materials.

From the description provided in the SPCC Plan dated April 29, 1999, it is unclear if containment for Tanks 2, 3, 4, 7, and 8 is adequate inside the shop or shredder building. For example, are there any curbs around the drains inside these buildings. Metals Management must also specify the dimensions of the earthen berm and concrete wall; EPA cannot determine whether the containment for these areas is sufficient without this information. The SPCC Plan should describe oil absorbents that are on hand and the specific locations of the materials that will be used to contain spills. For example, what are the precise locations of 10 bags of oil-dri® in the petroleum storage area A or a containment dam that handles a spill of 1,000 gallons? The plot plan mentions a spill kit in the legend, but the SPCC Plan does not describe any items that are available in this spill kit.

(e)(1) Failure to provide complete discussion and/or implement requirements

Add storm water inlet locations to the plot plan.

(e)(2) Failure to provide complete discussions and/or implement requirements pertaining to Bulk Storage Tanks

(i) Tank material/construction is not compatible with fluid stored.

The fluid which is stored must be compatible with the tanks in which it is stored, and the SPCC Plan should indicate the compatible storage.

(ii) Failure to provide secondary containment for the largest single tank plus an allowance for precipitation.

In your SPCC Plan, you identify six tanks (Tanks 1,2,3,4,7, and 8), as having adequate secondary containment. Please change the tank containment survey to identify the containment provided for all tanks. For many tanks, the SPCC Plan states the containment is "not applicable". The regulations require secondary containment for each bulk storage installation, equal to the capacity of the largest single tank in the installation, plus an allowance for precipitation. Additionally, the Spill Prevention and Countermeasures section discusses interior walls that are recessed to contain spills inside the building. Both metal containment and a combination earthen and concrete containment are discussed without stating the dimensions of the containment. The adequacy of the containment cannot be determined without this information.

Dike walls and floors are not "sufficiently impervious".

Dike walls and floors must be "sufficiently impervious" to contain spilled oil and facility's compliance with this requirement must be stated in the SPCC Plan.

(vi) Failure to test aboveground tanks by hydrostatic testing, or visual inspection or shell thickness testing (with comparison records maintained)

Not stated in plan

(vii) Failure to control internal heating coil leakage by:

(A) Monitoring the steam return or exhaust lines for oil or passing the steam lines through a separation system

(B) Installing external heating system

Please address whether any internal heating coils are in use at your facility. If so, the facility must comply with this regulatory requirement, and discuss its manner of compliance in the SPCC Plan.

(viii) Failure to implement fail-safe engineering techniques on the tanks with one of the following:

(A) High liquid level alarms with audible or visual signals;

(B) High liquid level pump cutoff devices;

(C) Direct audible or code signal between the tank gauge and pumping station;

(D) A fast response system to detect oil level such as computers;

(E) Sensing devices should be inspected/tested periodically.

State in the SPCC Plan which of the above or other alternative techniques are utilized or when the future technique(s) will be implemented.

(ix) Failure to observe disposal facility systems which discharge into navigable waters on a frequent basis.

Not stated in plan.

(e)(3) Failure to provide complete discussions and/or implement requirements pertaining to Facility Transfer Operations.

(i) Failure to wrap/coat buried pipelines to reduce corrosion.

To the extent that any buried pipelines from Facility Transfer Operations exist at the Ewing facility, Metal Management's methods of compliance with these requirements should be discussed in the Plan and implemented.

(ii) Failure to cap or blank flange the terminal connection at the transfer point of a pipeline when not in service or on standby for an extended time.

Not stated in plan.

(iii) Failure to provide pipe supports which are designed to minimize abrasion and corrosion and allow for expansion and contraction.

Not stated in plan.

(iv) Failure to regularly assess all aboveground valves and pipelines by operating personnel.

Not stated in plan.

Failure to conduct periodic pressure testing for piping in areas where facility drainage is such that a failure may lead to a spill event.

Not stated in plan.

(v) Failure to warn large vehicles verbally or by appropriate signs to be cautious of aboveground piping.

Not stated in plan.

(e)(4) Failure to provide complete discussions and/or implement requirements pertaining to Facility Tank Truck Loading/Unloading Rack.

(i) Failure to meet the minimum requirements and regulation established by the Department of Transportation regarding tank car and tank truck loading and unloading procedures.

Not stated in plan.

(ii) Failure to provide a quick drainage systems with a containment volume greater than the largest compartment of any tank car or truck where drainage does not flow into a catchment basin or a treatment facility.

Not stated in plan.

(iii) Failure to provide an interlocked warning light or physical barrier system or warning signs in loading/unloading areas to prevent vehicular departure before complete disconnect of flexible or fixed transfer lines.

Not stated in plan.

(iv) Failure to inspect drains and outlets on tank cars and tank trucks for leakage prior to filling and departure.

Not stated in plan

(e)(8) Failure to include written procedures for required inspection and records of same inspections in the SPCC Plan for a period of three years.

Please include at least six(6) completed inspection records in the SPCC Plan.

(e)(9) Security (excluding oil production facilities).

(i) Failure to fully fence all plants handling, storing, and processing oil.

Not stated in plan.

(iv) Failure to securely cap or blank-flange loading/unloading connections of oil pipelines when not in service or on standby status for an extended time period.

Not stated in plan.

IN ADDITION

- Please complete and sign the Certification of Substantial Harm Determination form included in the SPCC Plan.
- Inconsistent capacities given for Tank 5. On page 8 of the Plan, Tank 5 is listed as 24,444 gallons. On page 10, Tank 5 is described as 20,460 gallons.
- Facility inspection conducted on March 31, 1999, noted areas of ponded water with oil sheen at the facility. Please further explain how this will not happen again.
- A 700,000 - gallon clarifier tank was noted to be on-site on March 31, 1999; however, this tank was not included in the Plan's containment survey. Please clarify whether this tank is still in existence.
- Transformers are present on-site. Please state the amount of oil in each transformer and any spill prevention measures.

COMETCO'S RCRA USED OIL VIOLATIONS.

DEFINITIONS

1. "Used oil" means any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities. (40 CFR 260.10, and 35 IAC 739.100)
2. "Used oil generator" means any person, by site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation. (40 CFR 279.1 and 35 IAC 739.100)
3. "Surface impoundment or impoundment" means a facility or part of a facility which is a natural topographic depression, man-made excavation, or dike area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds, and lagoons. (40 CFR 260.10) (No 35 IAC equivalent Reg)
4. "Used oil fuel marketer" means any person that conducts either of the following activities:
 - a. Directs a shipment of off-specification used oil from their facility to a used oil burner; or
 - b. First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in Section 40 CFR 279.11 and 35 IAC 739.111.
5. "Used oil burner" means a facility where used oil not meeting the specification requirements in 40 CFR 279.11 and 35 IAC 739.111, is burned for energy recovery in devices identified in 40 CFR 279.61.(a) and 35 IAC 739.16.(a).

ALLEGED VIOLATIONS

1. Storage of used oil in surface impoundment. Respondent violated RCRA'S prohibition regulation 40 CFR Parts 279.12 and 35 IAC 739.112 by managing illegal used oil in a impoundment. Used oil shall not be managed in surface impoundments or waste piles unless the units are subject to regulation under 40 CFR Parts 264, 265 and 35 IAC Parts 274, 275.
 - a. According to the Cometco's Subpoena and Information Request Response on July 14, 1999, Exhibit 3, page 2, Respondent managed used oil in man-made impoundment since mid 1970's when the impoundment was built on Cometco's property.

b. Respondent stated on the same as the above Response, that the impoundment was designed to use the natural properties of oil and water to separate.

c. At the time of U.S. EPA inspection on.....?.....large quantity of used oil was detected floating on the subjected impoundment. Respondent stated that used oil on an as-needed basis was removed from the impoundment by a contractor named Duke's Oil Services.

d. According to Respondent's manifests, purchase orders, invoices, provided to U.S. EPA by mail, from October 24, 1997, thru June 14, 1999, Duke's Services removed from the Cometco's impoundment 152,660 gallons of used oil mixed with run-off water.

e. At the time of inspection, and as requested by a Subpoena, Respondent did not provide documents that discuss, refer or relate to whether the "Oil Separating Pond" was managed, or potentially subject, to any requirement of any local ordinance, or State or Federal Environmental Law.

f. Respondent claims that on August 24, 1998 had applied for group NPDES storm water permit N#596 which is on file with U.S. EPA. Consequently, Respondent justified that managed used oil accumulation in its pond during years of operation, is a legal process under the general permit.

g. According to the General Permit Application under Part B, paragraph eight, it states "This permit does not authorize the discharge of hazardous substances or Oil resulting from an on-site spill, and does not supercede any reporting requirements for spills or releases of hazardous substances or Oil".

h. Respondent states in the Subpoena Response on June 14, 1999, "Drainage of the yard flows towards and into the pond". In Response to questions N#24 and N#25 Respondent said that "some residual oil was allowed to accumulate in the storm water pond". During all time operation used oil drains from unprocessed scrap metals, product piles, machine turning piles, shredded metals piles, machinery equipment, and follows its path into collection pond. Rain and industrial water discharges expedite the used oil accumulation in the pond by a continue free drainage as result of lack of a secondary diversion structure.

2. Failure to comply with used oil marketer requirements. Respondent initiated illegal used oil shipments. According to 40 CFR 279.71 and 35 IAC 739.171, a used oil generator is prohibited to initiate off-specifications used oil shipments to a burner

which does not have U.S. EPA identification number; and Burns the used oil in a furnace which is not in compliance with 40 CFR 279.61.(a) and 35 IAC 739.161.(a).

a. According to the Respondent's Subpoena Response on June 14, 1999, since October 23, 1997, thru October 13, 1998, Respondent shipped illegal 12,400 gallons of used oil to Cozzi facility located on 2500 South Paulina.

b. Cozzi facility can not provide any documents related to its burner that used oil is burned in a furnace which complies with 40 CFR 279.61.(a) and 35 IAC 739.161.(a).

c. Respondent's Response to Subpoena on June 14, 1999, exhibit N#2, states: "Used oil from off-site was transported by Duke's Oil to Cozzi, it is stored in a oil tank at the oil burning furnace".

3. Failure to provide analysis of used oil fuel. (40 CFR 279.72 and 35 IAC 739.172). A used oil generator may determine that used oil that is to be burned for energy recovery meets the fuel specifications of 40 CFR 279.11 and 35 IAC 739.111 by performing analysis or obtaining copies of analysis or other information documenting that the used oil fuel meets the specifications.

a. Respondent's Response to Subpoena on June 14, 1999, related to used oil fuel analysis stated: "Cometco does not have any records responsive to this request".

4. Failure to provide the notification requirements of RCRA Section 3010. (40 CFR 279.73 and 35 IAC 739.173). A used oil fuel marketer shall obtain a U.S. EPA identification number pursuant to RCRA 3010 and an Illinois special waste identification number. The notification shall contain the type of used oil activity (i.e. generator directing shipments of off-specification used oil to a burner).

a. The absence of notification for used oil activities was confirmed on September 7, 1999, by a U.S. EPA investigator in a telephone conversation with IEPA notification records person.

5. Failure to keep tracking of records. [40 CFR 279.74(a)(2) and 35 IAC 739.174(a)(2)]. Any used oil fuel marketer that directs a shipment of off-specification used oil to a burner shall keep a record of shipment of used oil to burner. The records should include the name and the address of the burner that will receive the used oil and the Illinois special waste identification number.

a. None of the documents provided by Respondent include the address of the burner, the burner identification number, nor the transporter's special waste identification number.

b. Cozzi's purchase orders and requisition orders do not identify the burner's location, again at this point of investigation based on all received information Respondent can not justify the used oil disposal.

6. Failure to obtain burner's certification. (40 CFR 279.75 and 35 IAC 739.175). Before a used oil generator directs the first shipment of off specification used oil fuel to a burner, he must obtain a one time written and signed notice form the burner certifying that the burner has notified EPA stating the location and the general description of the used oil management activities; and the burner will burn the off-specification used oil only in on furnace identified in 40 CFR 279.61.(a) and 35 IAC 739.16.(a).

a. Respondent failed to provide such certification requested by the U.S. EPA in Subpoena and Information Request question N#10.